

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE A.GOPAL REDDY
WRIT PETITION NO : 17520 of 2004

Between:

Mohd.Sirajuddin Khan, S/o Late Mohd.Nizamuddin,
R/o Flat No.202, Banjara Bhavan, Banjara Hills, Road No.12, Hyderabad
..... PETITIONER

AND

- 1 The Principal Secretary to Government, Revenue, Urban Land Ceiling,
Government of Andhra Pradesh at Secretariat, Hyderabad
- 2 The Special Officer & Competent Authority, Urban Land Ceiling, at
Nampally, Hyderabad
- 3 Smt K.Shyamala Devi, W/o Dr.K.Subramanyam naidu,
R/o 6564, Professional Place, Suit A, Reveradale, GA. 30274, USA
- 4 Smt K.Anjana Devi, W/o Dr.K.Srinivasa Rao,
R/o 3415, Nash Ville Nederland, Texas 77627, USA
.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ in the nature of Writ of Mandamus or any other appropriate Writ or Writs, Order or Direction, declaring that the Respondents No.1 & 2 have no right or jurisdiction to entertain or consider the claim of Respondents No.3 & 4 for regularizing the land admeasuring Ac.8101.04 Sq.Metres forming part of Sy.No.31 of Babbuguda Village, Balanagar Mandal, Ranga Reddy District, either under G.O.Ms.No.456 dated 29-07-2002 or otherwise in any manner whatsoever; Award costs and pass such other or further orders as are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.H.VENUGOPAL

Counsel for the Respondents 1 and 2: GP FOR REVENUE

The Court at the stage of admission made the following order:

Heard the learned counsel on either side and with their consent the writ petition itself is disposed of at the stage of admission.

This writ petition is filed on mere apprehension that the respondents 1 and 2, before regularizing the claim under G.O.Ms.No.456 Revenue (UC.I) Department dated 29.7.2002, would not take into consideration Clause 3 (b) of the conditions prescribed therein for such regularization.

When several civil suits are pending between the parties namely the petitioner and the respondents 3 and 4 and since the Government which is a party and suffered an injunction in O.S.No.742 of 2001, will have to necessarily take into consideration before considering the claims of respondents 3 and 4 for regularizing the land before passing any orders and also including the representation of the petitioner dated 25.9.2004.

In view of the same, it cannot be presumed that the Government will blindly consider the claims of the respondents 3 and 4 for regularization without taking note of the above said facts, which are bound to be taken into consideration before

passing any orders.

The writ petition is premature and the same is accordingly
dismissed. No costs.

29.9.2004

Note:

CC by today.

Bo CVM

To,

- 1 The Principal Secretary to Government, Revenue, Urban Land Ceiling,
Government of Andhra Pradesh at Secretariat, Hyderabad
- 2 The Special Officer & Competent Authority, Urban Land Ceiling, at
Nampally, Hyderabad
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5. 2 CCs to G.P. for Revenue, High Court of A.P. Hyderabad
(OUT).
- 6 2 CD copies.